

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIANE LATRAY,

Defendant.

CR-16-21-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 9, 2022. (Doc. 102.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 8, 2022. (Doc. 97.) The United States accused Ariane Latray (Latray) of violating her conditions

of supervised release 1) by using methamphetamine; 2) by failing to reside at a place approved by her probation officer; 3) by knowingly interacting with a convicted felon; 4) by failing to complete the Woman Initiating New Growth and Stability program at the YWCA in Helena, Montana; and 5) by consuming alcohol. (Doc. 95.)

At the revocation hearing, Latray admitted to violating the conditions of her supervised release 1) by using methamphetamine; 2) by knowingly interacting with a convicted felon and 3) by consuming alcohol. Judge Johnston dismissed alleged violations 2 and 4 on the government's motion. (Doc. 97.) Judge Johnston found that the violations proved to be serious and warranted revocation, and recommended that Latray receive a custodial sentence of 6 months with 15 months of supervised release to follow, with the first 180 days of her supervised release in a residential re-entry. (Doc. 102.) Rosette was advised of her right to appeal and her right to allocute before the undersigned. (Doc. 97.) The violations prove serious and warrants revocation of Latray's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Amended Findings and Recommendations (Doc. 102) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Ariane Latray be sentenced to the custody of the United States Bureau of Prisons for 6 months with 15 months of supervised release

to follow. Rosette will serve the first 180 days of supervised release in a residential re-entry.

DATED this 29th day of November, 2022.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court